

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CHRISTOPHER FLORES,

Plaintiff,

v.

JENNIFER SANDERS, et al.,

Defendants.

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Case No. 6:21-cv-145-JDK-JDL

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Christopher Flores, a Texas Department of Criminal Justice inmate proceeding pro se, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love for findings of fact, conclusions of law, and recommendations for disposition.

Before the Court is Plaintiff's motion for a preliminary injunction concerning events at the TDCJ Stiles Unit. Docket No. 79. In his motion, Plaintiff asserts that prison officials have threatened to confiscate his legal materials and harm or kill him, including a particular incident involving Lamar McGee, a correctional officer. On May 12, 2022, Judge Love issued a Report recommending that the Court deny the motion for a preliminary injunction. Docket No. 82. The Report explained that the requested injunctive relief did not relate to Plaintiff's claims in this case, that Plaintiff failed to show that the officers at the Stiles Unit were in privity with the named Defendants in this case, that the Defendants in this case lacked any power to


provide the requested injunctive relief, and that Plaintiff failed to show a substantial likelihood of success on the merits of his claims, that he faced an imminent threat of irreparable injury, and that his requested relief did not disserve the public interest. No objections have been filed to the Report.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 82) as the findings of this Court and **DENIES** Plaintiff's motion for a preliminary injunction (Docket No. 79).

So **ORDERED** and **SIGNED** this **12th** day of **January, 2023**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE